



Delegated Report

Householder Planning Application

Planning Application No: 20240006

Location: 106 The Drove Way Istead Rise Gravesend Kent

Description: Erection of a timber framed outbuilding with a flat roof to be used as a gym.

Applicant: Mr Christopher Wincott

Site Visit Date:

Submitted Documents/Plans

Application Form

MW001/1 Rev A – Plan, Elevations, Site Plan and Block Plan

MW001/2 Rev A – Elevations and Block Plan for Proposed Outbuilding

Email confirming Materials

Relevant Planning History

Reference	Description	Decision	Decision Date
20020400	Erection of a conservatory at the rear.	Permitted	12.08.2002
20020175	Erection of single storey front and side extensions incorporating the continuation of the proposed pitched roof over existing garage, to form lounge, shower room/wc and enlarged dining room.	Permitted	22.04.2002
19880503	Erection of a single storey rear extension to form an enlarged kitchen.	Permitted	18.07.1988
19800824	Use of part of existing garage for a dining room and erection of single storey front extension to existing garage	Permitted	06.11.1980

Development Plan

Gravesham Local Plan Core Strategy (September 2014):

- CS01 – Sustainable Development
- CS02 – Scale & Distribution of Development
- CS12 – Green Infrastructure
- CS18 – Climate Change
- CS19 – Development & Design Principles

Gravesham Local Plan: First Review (1994)

- P3 – Vehicle Parking Standards

Paragraph 33 of the NPPF (2023) sets out that policies within adopted local plans should be reviewed to

assess whether they need updating at least once every five years, and should then be updated as necessary. Such reviews are also a legal requirement as set out in Regulation 10A of the Town and Country Planning (Local Planning) England Regulations 2012.

The Council undertook such a review in September 2019 and found that the adopted Local Plan Core Strategy is in need of a partial review in terms of Policy CS02, due to the increased need for housing since the Local Plan Core Strategy was adopted and the need to ensure that a sufficient land supply exists to meet this need. Whilst saved policies from the Local Plan 1st Review (1994) generally conform with the NPPF (2023), the Council will also seek to replace these.

National Planning Policy Framework (2023)

- Section 2 – Achieving Sustainable Development
- Section 12 – Achieving well-designed and beautiful places

Supplementary Planning Guidance

- SPG 2 - Residential layout guidelines including Housing Standards Policy Statement October 2015 Adopted 1996 – amended June 2020;
- Technical Housing Standards – nationally described space standard (2015);
- SPG 4 - KCC Parking Standards (2006);
- Householder Extensions/Alterations Design Guide (2021); and
- Gravesham Landscape Character Assessment (2009)

Consultations, Publicity and Representations

Consultees

Ward Councillors: No comments received.

Neighbouring properties

8no surrounding properties were consulted and 4 comments were received. 2 comments were objecting, and 2 comments were in representation. The final date to submit comments ended on 19th February 2024. The comments are summarised as follows.

Objections:

- The outbuilding has already been constructed.
- The outbuilding is too large, imposing and visible above garden fences.
- Height of the building is too large for its location.
- The outbuilding overlooks neighbouring properties with windows directly facing into neighbours' habitable rooms.
- Concerns regarding noise.

Representation:

- The outbuilding has already been erected as of November.
- The white coloured cladding is bright and reflects the light.
- The outbuilding is large, above fence height.
- The building has guttering and outside lights.
- Large shrubbery in neighbouring gardens can screen some of the building off but this does not apply to all neighbours.

Officer Notes:

- Concerns about the future intended use which have been raised cannot be considered as this is not what is proposed. Should the use of the building change, further planning consents may be

required, and the appropriate consultation would be undertaken for such an application.

- One of the comments queries the position of the outbuilding advising that the plans were not available. A response was sent to the commenter advising of the position of the outbuilding and advising that the plans are available to view on the website.

Officer's Analysis

Principle of Development

This application site is located in a Rural Settlement inset from the Green Belt, where alterations and extensions to residential buildings are generally acceptable in principle as per Policy CS02: Scale and Distribution of Development.

However, all other relevant matters should be considered. In this instance, the main points to consider would be the potential impact on; Visual Amenity (Design, Character and Appearance), Amenity of Future Occupiers and Residential Amenity of neighbours.

It is noted that the building has been erected and that this consent is applied for retrospectively with aims of bringing the works into compliance with planning requirements.

Design, Character and Appearance

The proposed development involves the siting of a flat roofed outbuilding in the rear garden. It is 4.16 wide by 4.12m deep. It has a sloping flat roof with a height of 2.83m at its highest point to the front and 2.7m high at the lowest point at the rear.

The external materials as confirmed by the applicant are: UPVC cladding, windows and doors and a rubber flat roof.

As the outbuilding has already been erected, an image taken by one of the officers from the Local Planning Authority is included below to show the building in situ.



Image taken by officer within the LPA

Neighbouring comments were made raising concerns regarding the large and imposing scale of the building, particularly its projection above fence height.

The building has a 16.7m² footprint and is discreetly located to the rear corner of the garden space. This building is higher than would be allowed by permitted development rights (2.5m). However, this would only be 0.2m higher at the back and 0.4m higher at the front. It would remain single storey and given that it would not have a large footprint, would not be disproportionately large. The use of a flat roof in this instance would reduce the overall bulk. On balance, the building would be considered proportional and subservient to the main dwellinghouse and would not result in an overabundance of development on the site. The design, to the rear where there is limited visibility, in this residential area would have limited impact on the character of the area.

Preferably the building would have a timber exterior in the rural setting. However, given its discreet location, the mixed residential/rural character of the area and its small scale, the use of upvc externally in this instance, would not be significantly harmful to the character of the area.

On balance, the proposed development would comply with the requirements of Policy CS19 of the Core Strategy 2014 and paragraph 135 of the NPPF (2023) in terms of design, character and appearance.

Amenity of Future Occupiers

The NPPF (2023) states that planning decisions should aim to secure a high standard of amenity for all existing and future users. The impact on amenity is also considered with regard to the criteria with Policy CS19 of the Core Strategy, which states that new development should be located, designed and constructed to safeguard the amenity, including privacy, daylight and sunlight, of its occupants, and those of neighbouring properties and land. The impact on neighbours will be assessed in the next section of the report.

The proposed development would not provide a habitable room for which minimum space standards are required. The minor footprint of the building would allow for retention of the appropriate garden depth and area (11m deep and 114m²). The use of the outbuilding will be restricted via condition.

Neighbouring Amenity

As outlined above, it is important that any development safeguards the amenity of neighbouring properties and land. Following a period of consultation with neighbouring properties, two objections and two representations to the proposal were received. In relation to residential amenity, particular comments were made regarding privacy impacts from overlooking and the large and imposing scale of the building, particularly its projection above fence height.

There are no windows to the rear (South) or side (West) elevations. There would be openings to the north which would face the subject dwellinghouse and a window to the east. The window to the east is at single storey level and serves a non-habitable space. The privacy distances applied by the Residential Layout Guidelines (2015), only apply to windows serving habitable rooms. Given the single storey nature of the outbuilding, and its use as a non-habitable space, plus the 18.5m distance from the east facing window to the building to the east and its partial obscuration by boundary treatment, there is not likely to be any significant overbearing, overlooking of residential neighbours.

Permitted development rights in many instances allow boundary fencing at the rear of up to 2 metres above ground level and where permitted development rights do not apply planning consent can be sought for boundary treatment options which would reduce visibility of the building from neighbouring perspectives.

The proposed building with its low flat roof, in the rear corner position of this garden would not be overbearing in bulk or result in any significant overshadowing.

The proposal is therefore considered to safeguard the amenity of neighbouring properties in compliance with policy CS19 of the Core Strategy 2014.

Conclusion & Recommendation

The proposed development complies with all relevant national and local planning policies. The recommendation is therefore to approve.

(For detailed conditions / reasons for refusal and informatives, see draft Decision)

Case Officer:	Mrs Lisa Fisher	Team Leader:	Miss Faye Hobbs
Signed:		Signed:	
Dated:	4 th March 2024	Dated:	07 March 2024